

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Jerry A. McKinney
Kathy J. McKinney
Debtor(s)**

Bankruptcy Case No.: 19-70386-JAD
Issued Per Aug. 16, 2019 Proceeding
Chapter: 13
Docket No.: 40 - 23
Concil. Conf.: January 30, 2020 at 11:30 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated July 11, 2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. *A final plan conciliation conference will be held on Jan. 30, 2020 at 11:30 AM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.* If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- H. Additional Terms:

(2.) *IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:*

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any *secured claim* that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: August 21, 2019

Jeffery A. Deller
United States Bankruptcy Judge

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 6
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Jerry A. McKinney
 Kathy J. McKinney
 Debtors

Case No. 19-70386-JAD
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-7

User: jhel
 Form ID: 149

Page 1 of 3
 Total Noticed: 97

Date Rcvd: Aug 21, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 23, 2019.

db/jdb +Jerry A. McKinney, Kathy J. McKinney, 276 Ida Street, Houtzdale, PA 16651-8542
 15077258 +ACS/College Loan Corp., 501 Bleecker St., Utica, NY 13501-2401
 15077264 +AM Std Asst., 100 Cambreidge St., Suite 1600, Boston, MA 02114-2518
 15077263 Altoona Regional, 820 Howard Ave., Altoona, PA 16601
 15077265 +Apex Asset, 2501 Oregon Pike Ste, Lancaster, PA 17601-4890
 15077272 +CBCS, PO Box 2724, Columbus, OH 43216-2724
 15077284 ++CONTINENTAL FINANCE COMPANY LLC, PO BOX 8099, NEWARK DE 19714-8099
 (address filed with court: Continental Finance, P.O. Box 105125, Atlanta, GA 30348)
 15077271 #+Cawley & Bergmann, LLP, 117 Kinderkamack Road, Suite 201, River Edge, NJ 07661-1916
 15077274 +Centre Diagnostic, P.O. Box 197, State College, PA 16804-0197
 15077275 +Centre Emergency Med., P.O. Box 6009, Hermitage, PA 16148-1009
 15077276 +Chase Card, Attn: Correspondence, P.O. Box 15298, Wilmington, DE 19850-5298
 15077277 +Chase Mortgage, P.O. Box 24696, Columbus, OH 43224-0696
 15077278 +Clair and Eleanor Godissart, 525 Keystone Hill Road, Philipsburg, PA 16866-8305
 15077279 +Clearfield Hospital, P.O. Box 731584, Dallas, TX 75373-1584
 15077281 +Comcast Cable, P.O. Box 23870, Jacksonville, FL 32241-3870
 15077282 +Commonwealth of PA, 118 Enterprise Drive, Philipsburg, PA 16866-3172
 15077283 Complete Payment Recovery, 3500 5th Street, River Falls, AL 36476
 15077285 +Credit Acceptance Corporation, 25505 W. 12 Mile Rd., Suite 3000, Southfield, MI 48034-8331
 15077288 +Credit Control Collections, 2410 Broad Avenue, Altoona, PA 16601-1940
 15077291 +David J. Hickton, Esq., US Postal Office & Courthouse, 700 Grant Street, Suite 4000, Pittsburgh, PA 15219-1956
 15077292 +Delta Management Associates, Inc., 100 Everatt Avenue, Suite 6, P.O. Box 9191, Chelsea, MA 02150-9191
 15099528 ECMC, PO BOX 16408, ST. PAUL, MN 55116-0408
 15077294 Fst Premier, 601 S. Minneapolis Ave., Sioux Falls, SD 57104
 15077295 +Geisinger, P.O. Box 27727, Newark, NJ 07101-7727
 15077296 +Geisinger Health System, 100 N. Academy Avenue, Danville, PA 17822-0001
 15077299 HSBC, P.O. Box 7114, Charlotte, NC 28272
 15077300 +HSBC Mortgage Services Inc., 636 Grand Regency Boulevard, Brandon, FL 33510-3942
 15077297 +Holiday Financial, 1800 Daisy Street, Ext. St., Clearfield, PA 16830-3265
 15077298 +Home Health Ressource, P.O. Box 13150, Overland Park, KS 66282-3150
 15077301 +ICN IPA Collection, P.O. Box 893, Washington, PA 15301-0893
 15077304 +KML Law Group, P.C., Mellon Independence Center-Suite 5000, 701 Market Street, Philadelphia, PA 19106-1538
 15077305 +L.S. Ross Assoc., P.O. Box 6099, Jackson, MI 49204-6099
 15077306 +Laffey & Associates, 415 Chartiers Avenue, Carnegie, PA 15106-2356
 15077307 +Laurel Eye Clinic, P.O. Box 1180, Sharpsburg, GA 30277-0964
 15077311 +M&T Bank/Lakeview, P.O. Box 840, Buffalo, NY 14240-0840
 15077319 +MRS Associates, 1930 Olney Ave., Cherry Hill, NJ 08003-2016
 15077313 +Matt Harron, Nick Miller & Amy Buchanan, Attorneys at Law, 607 College Street, Suite 101, Pittsburgh, PA 15232-1700
 15077314 +Med East Post Opd Surgical, P.O. Box 822796, Philadelphia, PA 19182-2796
 15077316 Meredith Manor, Waverly, WV 26184
 15085703 +Meredith Manor, 147 Saddle Ln, Waverly, WV 26184-3254
 15077318 Mihalkd's, One Hillside Drive, Altoona, PA 16601
 15077320 +Mt. Nittany Medical Center, P.O. Box 536317, Pittsburgh, PA 15253-5905
 15077321 +Mt. Nittany Physician Group, P.O. Box 6005, Hermitage, PA 16148-1005
 15077322 +National Credit Adjusters, P.O. Box 3023, Hutchinson, KS 67504-3023
 15077323 +National Recovery, 2491 PaxtonSt., Harrisburg, PA 17111-1036
 15077324 +Northland Group Inc., P.O. Box 129, Thorofare, NJ 08086-0129
 15077326 +Penelec/First Energy, P.O. Box 16001, Reading, PA 19612-6001
 15077327 +Penn Credit, Attn: Bankruptcy, P.O. Box 988, Harrisburg, PA 17108-0988
 15077328 +Penn Credit, 916 S. 14th St., P.O. Bo 988, Harrisburg, PA 17108-0988
 15077329 +Penn Highlands, P.O. Box 16157, Rocky River, OH 44116-0157
 15077330 +Penn Highlands Clfd, P.O. Box 893, Washington, PA 15301-0893
 15077331 +Penn Highlands Dubois, P.O. Box 447, Du Bois, PA 15801-0447
 15077334 +Quest Diagnostics Venture, LLC, P.O. Box 740717, Cincinnati, OH 45274-0717
 15077335 R&R Radiology Consultants, P.O. Box 129, State College, PA 16803
 15077336 +Scheer, Green & Burke, P.O. Box 1312, Toledo, OH 43603-1312
 15077337 +Schumacher Group, 165 Caprice Court, Unit B, Castle Rock, CO 80109-1559
 15077340 +The Caring Healthcare Network, 601 N. Front Street, Philipsburg, PA 16866-2303
 15077341 +The HMC Group, Collection Agency, P.O. Box 16211, Rocky River, OH 44116-0211
 15077343 +Tribute Card, Attn: Bankruptcy, P.O. Box 105555, Atlanta, GA 30348-5555
 15077344 +Tyrone Hospital, 9245 Watson Industrial Park, Saint Louis, MO 63126-1518
 15077347 +UPMC, P.O. Box 371472, Pittsburgh, PA 15250-7472
 15077348 +UPMC Altoona, P.O. Box 1123, Minneapolis, MN 55440-1123

District/off: 0315-7

User: jhel
Form ID: 149

Page 2 of 3
Total Noticed: 97

Date Rcvd: Aug 21, 2019

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center
(continued)

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
cr +E-mail/PDF: acg.acg.ebn@americaninfosource.com Aug 22 2019 03:08:47
Exeter Finance LLC, c/o AIS Portfolio Services, LP, 4515 N Santa Fe Ave. Dept. APS,
Oklahoma City, OK 73118-7901
cr +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Aug 22 2019 03:21:35
PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15077260 +E-mail/Text: EBNProcessing@afni.com Aug 22 2019 03:02:11 AFNI, 1310 MLK Drive,
P.O. Box 3517, Bloomington, IL 61702-3517
15077259 +E-mail/Text: katie.wilson@advanceddisposal.com Aug 22 2019 03:01:17 Advanced Disposal,
6330 Route 219, Brockway, PA 15824-5016
15077261 +E-mail/Text: kristin.villneuve@allianceoneinc.com Aug 22 2019 03:01:09 Alliance One,
4850 Street Rd. Suite 300, Feasterville Trevose, PA 19053-6643
15077262 +E-mail/Text: ally@ebn.phinsolutions.com Aug 22 2019 03:01:09 Ally Financial,
200 Renaissance Ctr, Detroit, MI 48243-1300
15077266 +E-mail/Text: EBN_Greensburg@Receivemorermp.com Aug 22 2019 03:02:49
Barks Credit & Collections, P.O. Box 329, Temple, PA 19560-0329
15077273 +E-mail/Text: bankruptcy_notifications@ccsusa.com Aug 22 2019 03:02:44
CCS/Nationwide Insurance, 725 Canton Street, Norwood, MA 02062-2679
15077268 +E-mail/Text: bankruptcy@cavps.com Aug 22 2019 03:02:22 Calvary Portfolio Services,
500 Summit Lake Drive, Suite 400, Valhalla, NY 10595-2322
15077270 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Aug 22 2019 03:09:14 Capital One,
P.O. Box 30285, Salt Lake City, UT 84130-0285
15077269 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Aug 22 2019 03:08:46 Capital One,
Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
15099544 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Aug 22 2019 03:08:46
Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083,
Charlotte, NC 28272-1083
15080683 +E-mail/Text: bankruptcy@cavps.com Aug 22 2019 03:02:22 Cavalry SPV I, LLC,
500 Summit Lake Drive, Ste 400, Valhalla, NY 10595-2321
15077280 +E-mail/Text: bankruptcy@firstenergycorp.com Aug 22 2019 03:02:07 Collection Service Center,
839 5th Avenue, New Kensington, PA 15068-6303
15077286 +E-mail/Text: csdlclientservices@cbolanc.com Aug 22 2019 03:02:28
Credit Bureau of Lancaster County, Inc., P.O. Box 1271, Lancaster, PA 17608-1271
15077287 +E-mail/Text: bankruptcy_notifications@ccsusa.com Aug 22 2019 03:02:44
Credit Collections Services, Two Wells Avenue, Newton Center, MA 02459-3246
15077290 +E-mail/Text: bdsupport@creditmanagementcompany.com Aug 22 2019 03:02:24
Credit Management Company, 2121 Noblestown Road, Pittsburgh, PA 15205-3956
15077289 +E-mail/Text: bdsupport@creditmanagementcompany.com Aug 22 2019 03:02:24
Credit Management Company, 2121 Noblestown Road, Attn: Bankruptcy Dept.,
Pittsburgh, PA 15205-3956
15077293 +E-mail/PDF: ais.exeter.ebn@americaninfosource.com Aug 22 2019 03:08:48 Exeter Finance Corp.,
P.O. Box 166008, Irving, TX 75016-6008
15087043 +E-mail/PDF: ais.exeter.ebn@americaninfosource.com Aug 22 2019 03:08:48 Exeter Finance LLC,
P.O. Box 167399, Irving, TX 75016-7399
15077303 +E-mail/Text: cio.bncmail@irs.gov Aug 22 2019 03:01:20 Internal Revenue Service,
Attn: Sandra Bence, 1000 Liberty Avenue, Stop 711B, Pittsburgh, PA 15222-4107
15077309 +E-mail/Text: ebn@ltdfin.com Aug 22 2019 03:01:22 LTD Financial Services,
7322 Southwest Freeway, Suite 1600, Houston, TX 77074-2134
15077310 +E-mail/PDF: resurgentbknotifications@resurgent.com Aug 22 2019 03:09:17 LVNV Funding LLC,
P.O. Box 10497, Greenville, SC 29603-0497
15077308 +E-mail/PDF: gecscedi@recoverycorp.com Aug 22 2019 03:08:43 Lowes, P,O, Box 530914,
Atlanta, GA 30353-0914
15077315 +E-mail/Text: rcpssbankruptcynotices@parallon.com Aug 22 2019 03:02:47 Medicredit Inc.,
P.O. Box 1629, Maryland Heights, MO 63043-0629
15077317 +E-mail/Text: bankruptcypdt@mcmcg.com Aug 22 2019 03:01:58 Midland Funding,
8875 Aero Dr Ste 200, San Diego, CA 92123-2255
15077332 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Aug 22 2019 03:09:42
Portfolio Recovery Associates, LLC, P.O. Box 12914, Norfolk, VA 23541
15077333 +E-mail/Text: bnc-quantum@quantum3group.com Aug 22 2019 03:01:32
Quantum3 Group LLC as agent for, Cascade Capital LLC Series C, P.O. Box 788,
Kirkland, WA 98083-0788
15077338 +E-mail/Text: bankruptcy@sw-credit.com Aug 22 2019 03:02:01 Southwest Credit Systems,
4120 International Parkway ste 1100, Carrollton, TX 75007-1958
15077339 +E-mail/PDF: cbp@onemainfinancial.com Aug 22 2019 03:09:07 Springleaf, P.O. Box 64,
Evansville, IN 47701-0064
15079213 +E-mail/PDF: gecscedi@recoverycorp.com Aug 22 2019 03:08:44 Synchrony Bank,
c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15077342 +E-mail/Text: bankruptcypdepartment@tsico.com Aug 22 2019 03:02:35 Transworld Systems,
P.O. Box 15273, Wilmington, DE 19850-5273
15077346 +E-mail/Text: skorman@uoc.com Aug 22 2019 03:02:43 UOC, 101 Regent Court,
State College, PA 16801-7965
15077345 +E-mail/Text: bnc@alltran.com Aug 22 2019 03:01:11 United Recovery Systems,
P.O. Box 722929, Houston, TX 77272-2929
15077349 +E-mail/Text: wfmelectronicbankruptcynotifications@verizonwireless.com Aug 22 2019 03:01:05
Verizon, Verizon Wireless Bankruptcy Administrati, 500 Technology Dr., Ste 500,
Saint Charles, MO 63304-2225

TOTAL: 35

District/off: 0315-7

User: jhel
Form ID: 149

Page 3 of 3
Total Noticed: 97

Date Rcvd: Aug 21, 2019

***** BYPASSED RECIPIENTS (continued) *****

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Lakeview Loan Servicing, LLC
15077312* ++CONTINENTAL FINANCE COMPANY LLC, PO BOX 8099, NEWARK DE 19714-8099
(address filed with court: Mabt/contfin, P.O. Box 8099, Newark, DE 19714)
15077302* ++INTERNAL REVENUE SERVICE, CENTRALIZED INSOLVENCY OPERATIONS, PO BOX 7346,
PHILADELPHIA PA 19101-7346
(address filed with court: Internal Revenue Service, Centralized Insolvency Operations,
P.O. Box 21126, Philadelphia, PA 19114-0326)
15085704* +MRS Associates, 1930 Olney Ave., Cherry Hill, NJ 08003-2016
15077267 ##+Beneficial, P.O. Box 1231, Brandon, FL 33509-1231
15077325 ##+PA Collection, P.O. Box 893, Washington, PA 15301-0893

TOTALS: 1, * 3, ## 2

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.
While the notice was still deliverable, the notice recipient was advised to update its address with the court
immediately.

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices
will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The
debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner
shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social
Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required
by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Aug 23, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)
system on August 21, 2019 at the address(es) listed below:

David Z. Valencik on behalf of Debtor Jerry A. McKinney dvalencik@c-vlaw.com,
cvlaw.ecf.dvalencik@gmail.com;aheath@c-vlaw.com;kmosur@c-vlaw.com;bhassain@c-vlaw.com;ssimmons@c-vlaw.com;mpeduto@c-vlaw.com;rfeil@c-vlaw.com
David Z. Valencik on behalf of Joint Debtor Kathy J. McKinney dvalencik@c-vlaw.com,
cvlaw.ecf.dvalencik@gmail.com;aheath@c-vlaw.com;kmosur@c-vlaw.com;bhassain@c-vlaw.com;ssimmons@c-vlaw.com;mpeduto@c-vlaw.com;rfeil@c-vlaw.com
James Warmbrodt on behalf of Creditor Lakeview Loan Servicing, LLC bkgroup@kmlawgroup.com
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteevdpa.com

TOTAL: 5